


<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY DOCKET NO. <b>P08977US00/BAS</b> US APPL. NO. (If known, see 37CFR 1.5) <b>10/587,899</b>
INTERNATIONAL APPLICATION NO. <b>PCT/IB05/00351</b>	INTERNATIONAL FILING DATE <b>14 February 2005</b>	PRIORITY DATE CLAIMED <b>12 February 2004</b>
TITLE OF INVENTION: NEW COMBINATIONS OF AN ANTI EMETIC AGENT AND AN ENKEPHALINASE....		
APPLICANT(S) FOR DO/EO/US: SCHWARTZ et al		
Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:		
<div style="list-style-type: none; padding-left: 0;"> <input type="checkbox"/> 1. This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.  <input checked="" type="checkbox"/> 2. This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 USC 371.  <input type="checkbox"/> 3. This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.  <input type="checkbox"/> 4. The US has been elected (Article 31).  <input type="checkbox"/> 5. A <b>copy</b> of the International Application as filed (35 U.S.C. 371 (c)(2))  <div style="margin-left: 20px;"> <input type="checkbox"/> a. is attached hereto (required only if not communicated by the International Bureau).  <input type="checkbox"/> b. has been communicated by the International Bureau  <input type="checkbox"/> c. is not required, as the application was filed in the United States Receiving Office (RO/US).         </div> <input type="checkbox"/> 6. An <b>English translation</b> of the International Application as filed (35 U.S.C. 371(c)(2)).  <div style="margin-left: 20px;"> <input type="checkbox"/> a. is attached hereto.  <input type="checkbox"/> b. has been previously submitted under 35 U.S.C. 154(d)(4).  <input type="checkbox"/> c. is not needed since the International Application is in English.         </div> <input type="checkbox"/> 7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3))  <div style="margin-left: 20px;"> <input type="checkbox"/> a. are attached hereto (required only if not communicated by the International Bureau).  <input type="checkbox"/> b. have been communicated by the International Bureau.  <input type="checkbox"/> c. have not been made; however, the time limit for making such amendments has NOT expired.  <input type="checkbox"/> d. have not been made and will not be made.         </div> <input type="checkbox"/> 8. An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).  <input checked="" type="checkbox"/> 9. An oath or <b>declaration</b> of the inventor(s) (35 U.S.C. 371(c)(4)).  <input type="checkbox"/> 10. An English translation of the annexes to the Int'l Pre. Exam. Report under PCT Article 36 (35 USC 371(c)(5)).       </div>		
<b>Items 11. to 20. below concern document(s) or information included:</b>		
<div style="list-style-type: none; padding-left: 0;"> <input type="checkbox"/> 11. An <b>Information Disclosure Statement</b> under 37 C.F.R. 1.97 and 1.98.  <input type="checkbox"/> 12. An <b>Assignment</b> document for recording. A separate cover sheet in compliance with 37 CFR 3.28 &amp; 3.31 is included.  <input type="checkbox"/> 13. A <b>preliminary amendment</b>.  <input type="checkbox"/> 14. An Application Data Sheet under 37 CFR 1.76.  <input type="checkbox"/> 15. A substitute specification.  <input type="checkbox"/> 16. A power of attorney and/or change of address letter.  <input type="checkbox"/> 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 &amp; 37 CFR 1.821-825.  <input type="checkbox"/> 18. A second copy of the published international application under 35 USC 154(d)(4).  <input type="checkbox"/> 19. A second copy of the English translation of the international application under 35 USC 154(d)(4).          20. <b>Other</b> items or information:  <div style="margin-left: 20px;"> <input type="checkbox"/> Return Receipt Postcard.  <input checked="" type="checkbox"/> A copy of the Notification of Missing Requirements under 35 U.S.C. 371.  <input checked="" type="checkbox"/> In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 21(c).  <input type="checkbox"/> </div> </div>		
Date: April 27, 2007		

U.S. APPLICATION NO. <i>(If known)</i> 10/587,899		INTERNATIONAL APPLICATION NO. PCT/I05/00351		ATTORNEY DOCKET NO. P08977US00/BAS	
<b>The following fees have been submitted:</b>				CALCULATIONS	PTO USE ONLY
<input type="checkbox"/> 21. <b>Basic national fee</b> (37 CFR 1.492(a)) <span style="float: right;">\$300</span>				\$	
<input type="checkbox"/> 22. <b>Examination fee</b> (37 CFR 1.492(c))					
<input type="checkbox"/> Written Opinion or IPER by US indicates all claims satisfy PCT Art. 33(1-4) <span style="float: right;">\$0</span>				\$	
<input type="checkbox"/> All other situations <span style="float: right;">\$200</span>					
<input type="checkbox"/> 23. <b>Search fee</b>					
<input type="checkbox"/> Written Opinion or IPER by US indicates all claims satisfy PCT Art. 33(1-4) <span style="float: right;">\$0</span>					
<input type="checkbox"/> Has been paid on the Int'l Appln. to the USPTO as ISA <span style="float: right;">\$100</span>				\$	
<input type="checkbox"/> International Search Report prepared and provided to the Office <span style="float: right;">\$400</span>					
<input type="checkbox"/> All other situations <span style="float: right;">\$500</span>					
<b>TOTAL OF 21, 22 AND 23</b>				\$	
<input type="checkbox"/> <b>SIZE FEE:</b> sheets - 100 = ÷ 50 = [rounded up] × \$250 =				\$	
<input checked="" type="checkbox"/> <b>Surcharge of \$130</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)) <span style="float: right;">\$130</span>				\$130	
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>		
Total Claims	- 20 =		X \$50 =	\$	
Independent Claims	- 03 =		X \$200 =	\$	
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)			+ \$360 =	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$130	
<input type="checkbox"/> Applicant claims <b>small entity status</b> - 37 CFR 1.27. Fees above reduced by ½.				\$	
<b>SUBTOTAL =</b>				\$130	
<input type="checkbox"/> Processing fee for furnishing the <b>English translation</b> later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)) <span style="float: right;">\$130</span>				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	
<input type="checkbox"/> Fee for recording enclosed <b>assignment</b> (37 CFR 1.21(h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31) <span style="float: right;">\$40 per property</span>				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$130	
<i>Amount to be</i>				<b>Refunded</b>	\$
				<b>Charged</b>	\$
<input checked="" type="checkbox"/> Payment of \$130 is made by attached <b>Credit Card Payment Form</b> (PTO-2038) <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required for this submission (except claims fees if the box below is checked) or credit any overpayment to Deposit Account No. 12-0555. <input type="checkbox"/> <b>Do not charge any claim fees now</b> - any additional claims fees will be paid with the Missing Requirements.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
POWER OF ATTORNEY & CORRESPONDENCE ADDRESS:  <b>CUSTOMER NO. 00881</b>  Date: April 27, 2007			NAME: B. Aaron Schulman REG. NO.: 31,877  Signed (for) by:  REG. NO.: 31,877		



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/587,899	Jean-Charles Schwartz	P08977US00/BAS

INTERNATIONAL APPLICATION NO.
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PCT/IB05/00351

I.A. FILING DATE	PRIORITY DATE
02/14/2005	02/12/2004

881  
 STITES & HARBISON PLLC  
 1199 NORTH FAIRFAX STREET  
 SUITE 900  
 ALEXANDRIA, VA 22314

RECEIVED

APR 19 2007

STITES &amp; HARBISON PLLC

CONFIRMATION NO. 8912

371 FORMALITIES LETTER



\*OC000000023417644\*

Date Mailed: 04/18/2007

6-18-2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/28/2006
- Copy of the International Search Report filed on 07/28/2006
- Preliminary Amendments filed on 07/28/2006
- Information Disclosure Statements filed on 07/28/2006
- U.S. Basic National Fees filed on 07/28/2006
- Priority Documents filed on 07/28/2006
- Specification filed on 07/28/2006
- Claims filed on 07/28/2006
- Abstracts filed on 07/28/2006

COPY

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/587,899	PCT/IB05/00351	P08977US00/BAS

FORM PCT/DO/EO/905 (371 Formalities Notice)

**COPY**